

# **EXHIBIT A**

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**From:** Driesen, Daniel <Daniel.Driesen@nyulangone.org>  
**Sent:** Sunday, April 25, 2021 6:09 PM  
**To:** Femia, Robert; Grossman, Robert; Francois, Fritz; Brotman, Andrew; Abramson, Steven B.  
**Cc:** Johnson, Annette; Sanchez, Nancy (Human Resources)  
**Subject:** Dr. Kristin Carmody  
**Attachments:** Carmody Exhibits A-E.pdf; Carmody-NYU.pdf

Gentlemen,

Attached please find an attorney demand letter received in connection with the departure of Dr. Kristin Carmody. Dr. Carmody's attorney alleges a number of claims, including gender discrimination, defamation, and retaliation for supporting others engaged in purported protected activity. She further raises purported improper practices by the Hospital in an effort to deflect from her own culpable conduct.

To summarize her version of events, Dr. Carmody resigned after being told she would be terminated for her management and documentation of her role in care of the VIP Patient. She alleges that the only documentation Epic offered required her to misstate her role in the patient's care, i.e., recording that she personally performed the physical examination when in fact it was performed by a resident under her supervision. She asserts that the wording of the attestation in Epic results in fraudulent billing. She also asserts that, after her termination, two NYU review committees reached conclusions favorable to her, and that the decision to terminate her was discriminatory based on gender, because named male physicians with greater breaches of standards of patient care were not terminated. Finally, she asserts public defamation of her for her role in supporting residents' complaints about PPE and other conditions in the early days of Covid. Obviously omitted and downplayed was any role she played in the ED, either directly or as a supervisor, that jeopardized patient safety.

As a result of the letter, we are required to preserve and maintain all relevant documents, paper and electronic, that concern the events in the ED, as well as her those raised in her allegations. We will be contacting you individually as we prepare our response and defense.

Thank you for your attention to this matter.

Regards,  
Dan Driesen

**Daniel T. Driesen**  
Associate General Counsel  
Employment Matters  
NYU Langone Health

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**From:** Driesen, Daniel <Daniel.Driesen@nyulangone.org>  
**Sent:** Tuesday, April 27, 2021 11:26 AM  
**To:** Francois, Fritz; Abramson, Steven B.  
**Cc:** Femia, Robert; Kurtz, Sharon  
**Subject:** Kristin Carmody

Gentlemen,

I am continuing to gather documents/information about this matter and wanted to touch base regarding the alleged defamation at Zoom meetings. Her lawyer wrote the following:

Specifically, in Zoom video conferences conducted on Tuesday, December 8, 2020, (with over 172 NYU ED faculty, residents and administrative staff present), Wednesday, December 9, 2020 (with Defendants Abramson, Femia and Francois present) and Thursday, December 10, 2020 (with over 180 NYU ED faculty, residents and administrative staff present) and the RCA held on December 16, 2020, Defendants Femia, Francois and Abramson and other NYU leaders repeatedly defamed and disparaged Dr. Carmody.

[REDACTED]

Lastly, if you have additional relevant material, please preserve and send it to me. I also would like to discuss the matter when you are available to do so. Please let me know a convenient time to talk.

Thank you again for your cooperation in this matter.

Regards,  
Dan Driesen

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**From:** Driesen, Daniel <Daniel.Driesen@nyulangone.org>  
**Sent:** Monday, August 16, 2021 11:38 AM  
**To:** 'tdp2010@nyu.edu'; mll4; Johnson, Annette; Sanchez, Nancy (Human Resources); Bender, Austin; Cooper, Beth; Kurtz, Sharon; Jacobson, Rachel; Lowy, Lynn  
**Cc:** Grossman, Robert; Brotman, Andrew; Abramson, Steven B.; Francois, Fritz; Femia, Robert  
**Subject:** Kristin Carmody and NYUGSOM  
**Attachments:** AA- [Carmody v. NYU-GROSSMAN].pdf; K Carmody EEOC Charge 05252021.pdf

Dear All,

[REDACTED] - she filed a Charge of Discrimination with the EEOC on May 25. I only just received the attached correspondence by the EEOC from the Square, where the agency misdirected the Charge of Discrimination to an incorrect email address, thereby causing the delay. Accordingly, I requested additional time to respond.

[REDACTED]

As required by law, please preserve all documents (paper or electronic) that relate to Dr. Carmody's claims or our defenses. Thank you again for your attention and cooperation.

Regards,  
Dan Driesen

**Daniel T. Driesen**  
Associate General Counsel  
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**From:** Driesen, Daniel <Daniel.Driesen@nyulangone.org>  
**Sent:** Tuesday, October 5, 2021 11:24 AM  
**To:** mll4; 'tdp2010@nyu.edu'; Johnson, Annette; Sanchez, Nancy (Human Resources); Grossman, Robert; Francois, Fritz; Abramson, Steven B.; Brotman, Andrew; Femia, Robert; Bender, Austin; Cooper, Beth  
**Subject:** Kristin Carmody v. NYU Grossman School of Medicine, et al.  
**Attachments:** Carmody v. NYU et al - Complaint.pdf

Dear All,

As anticipated, attached please find a copy of the federal complaint filed by Dr. Carmody alleging discrimination based on gender, retaliation based on alleged vocal defense of the rights of women, marginalized groups, residents, and her own purported mistreatment, and a claim for disparate pay based on gender under the Equal Pay Act. In addition the these statutory claims, she alleges breach of contract and defamation. The Complaint was filed in federal court, but not yet served on the institution or individual defendants to my knowledge.

In her lengthy complaint, Dr. Carmody contends that was paid less than her comparators in the Department and was subjected to more difficult working conditions. She alleges that she was the target of retaliation for speaking out for other women faculty for such disparate treatment, as well as on behalf of the residents (she claims largely women and minorities) who complained about working conditions and PPE during the early stages of the pandemic. She then contends that her termination (or resignation in lieu of termination) for falsifying the medical records was faulty and unlawful. It is her allegation that the scripts available in EPIC required that she provide inaccurate information. It is my understanding [REDACTED]

[REDACTED] Dr. Carmody takes further issue with the response to her falsification of the medical record as part of the RCA and other internal communications and reviews. Lastly, she criticizes her male replacement as being less qualified than she and also cites other male physicians who allegedly were not terminated for purportedly similar infractions.

[REDACTED]

You will be contacted by our attorneys about the substance of these allegations, but please be sure to retain and preserve all documentation (paper and electronic, including emails, texts and voicemails), in advance of such discussions. Thank you for your cooperation and we will communicate with you expeditiously. Should anyone attempt to serve you individually, please direct them to HCC-15 where process of service properly received.

Thank you for your attention to this matter and cooperation in defending it.

Regards,  
Dan Driesen

**Daniel T. Driesen**  
Associate General Counsel